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THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			HASHEM, LISA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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FINAL DETAILED ACTION***Response to Arguments***

I. Applicant's arguments filed 9-7-07 have been fully considered but they are not persuasive. Applicant argues that Hsu does not disclose '...displaying different image depending on the day...' in claim 1. Claim 1 is rejected under 103(a) as being unpatentable over Bunshi in view of Hsu. The method of reminding a user based on occasion date is taught by Bunshi (section 0013-0015, 0017, 0025-0026). Examiner still believes that Hsu cures the deficiency in Bunshi by displaying different images to remind the user during an incoming call. Hsu is evidence that images can be displayed in a phone receiving an incoming call to remind a user (col. 3, line 65 – col. 4, line 51; col. 6, lines 51-53). It would be obvious to replace the predetermined ringer tone function in the phone of Bunshi with the predetermined image function in the phone of Hsu to provide displaying different image depending on the day.

In claim 5, Bunshi discloses alerting a user of a phone by a ring tone of an occasion date. The phone can further be modified to include an image can be displayed to remind a user when an incoming call is received, as taught by Hsu. Smith is evidence that both an image and ring tone can be displayed and played when receiving an incoming call (col. 4, line 59 – col. 5, line 6; col. 8, lines 16-62; col. 11, lines 1-67). Thus, Bunshi in view of Hus in further view of Smith disclose a phone that is capable of displaying different image and ring sound depending on the day.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunshi (prior art as noted in IDS by Applicant on 5-1-2006) in view of Hsu.

Regarding claim 1, Bunshi discloses a method of alerting a user of an occasion date (e.g. seasons and time) when a call is received in a phone (e.g. Drawing 1; section 0011) having an incoming call ring sound alteration function, (see Abstract; section 0003) comprising: accepting a call on a phone (e.g. incoming call; call in), the call intended for a user (section 0024, 0028-0031); determining whether today is a registered occasion date (section 0025); setting a first predetermined ring sound as an incoming call ring sound on the phone if today is not the registered occasion date; and changing the first predetermined ring to a second predetermined ring sound is played, if today is the registered occasion date to remind the user of the registered occasion date (see Abstract; section 0013-0015, 0017, 0025-0026).

Bunshi discloses setting ring sounds depending on a registered occasion date. However, Bunshi does not disclose displaying images to remind a user.

Hsu discloses a method of alerting a user (e.g. called party) when a call (e.g. incoming call) is received in a phone (Fig. 1; col. 2, line 66 – col. 3, line 30) having an idle mode screen displaying function (Fig. 3; col. 4, lines 29-51), comprising: accepting a call (e.g. incoming call) on a phone, the call intended for a user; determining whether an image is associated with a Caller ID of the incoming call;

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displaying a first predetermined image for an idle mode screen (Fig. 3, 256) on the phone for viewing by the user, if no image is registered with a Caller ID (col. 6, lines 51-53); and changing the first predetermined image to a second predetermined image if an image is registered with the associated Called ID to remind the user of the caller (col. 3, line 65 - col. 4, line 51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bunshi to disclose displaying images to remind a user as taught by Hsu. One of ordinary skill in the art would have been lead to make such a modification to modify an incoming call ring sound alteration function with an idle mode screen function in order to display a predetermined image based on a registered occasion date that is triggered by the reception of an incoming call, wherein an image replaces an incoming call ring sound. Instead of having a ring remind the user of the date, the phone can be modified to include displaying an image stored in the phone to remind the user of the date. The modification is beneficial for user who will be disturbed by the incoming call ring sound and have a display accessible on the phone.

Regarding claim 2, the method of claim 1 mentioned above, wherein Bunshi in view of Hsu further discloses:
designating a date selected by the user as the registered occasion date (Bunshi: section 0013-0015; 0024, 0028-0031); and
registering an image selected by the user among idle mode screen images stored in the phone with respect to the registered occasion date (Bunshi: section 0013-0015; 0024, 0028-0031; Hsu: col. 6, lines 30-53).

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4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunshi in view of Hsu and in further view of Smith.

Regarding claim 5, Bunshi discloses a method of alerting a user of an occasion date (e.g. seasons and time) when a call is received in a phone (e.g. Drawing 1; section 0011) having an incoming call ring sound alteration function, (see Abstract; section 0003) comprising: accepting a call on a phone (e.g. incoming call; call in), the call intended for a user (section 0024, 0028-0031); checking whether today is a registered occasion date (section 0025); playing a first predetermined ring sound as an incoming call ring sound on the phone if today is not the registered occasion date; and playing the first predetermined ring to a second predetermined ring sound is played, if today is the registered occasion date to remind the user of the registered occasion date (see Abstract; section 0013-0015, 0017, 0025-0026).

Bunshi discloses setting ring sounds depending on a registered occasion date. However, Bunshi does not disclose displaying images to remind a user.

Hsu discloses a method of alerting a user (e.g. called party) when a call (e.g. incoming call) is received in a phone (Fig. 1; col. 2, line 66 – col. 3, line 30) having an idle mode screen displaying function (Fig. 3; col. 4, lines 29-51), comprising: accepting a call (e.g. incoming call) on a phone, the call intended for a user; determining whether an image is associated with a Caller ID of the incoming call; displaying a first predetermined image for an idle mode screen (Fig. 3, 256) on the phone for viewing by the user, if no image is registered with a Caller ID (col. 6, lines 51-53); and

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displaying the first predetermined image to a second predetermined image if an image is registered with the associated Called ID to remind the user of the caller (col. 3, line 65 - col. 4, line 51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bunshi to disclose displaying images to remind a user as taught by Hsu. One of ordinary skill in the art would have been lead to make such a modification to include an idle mode screen function in order to display a predetermined image based on a registered occasion date that is triggered by the reception of an incoming call, wherein an image is displayed. The phone can be modified to include displaying an image stored in the phone to remind the user of the date. The modification is beneficial for user who to view important information associated with a date on the phone.

However, Bunshi in view of Hsu do not disclose alerting a user with both a ring sound and image.

Smith discloses a method of alerting a user when a call is received in a phone (Fig. 1b) having an idle mode screen displaying function and an incoming call ring sound alteration function (col. 8, lines 52-56), comprising:
accepting a call on a phone (e.g. incoming call), the call intended for a user;
displaying a first predetermined image for an idle mode screen (Fig. 1b, 30) on the phone for viewing by the user and playing a first predetermined ring sound as an incoming call ring sound to communicate with the user (col. 4, line 59 – col. 5, line 6; col. 8, lines 16-62; col. 11, lines 1-67).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bunshi in view of Hsu to disclose alerting a user with both a ring sound and image as taught by Smith. One of ordinary skill in the art would have been lead to make such a modification to include an idle mode screen function and incoming call ring sound alteration function in order to display a predetermined image and play a predetermined ring sound based on a registered occasion date that is triggered by the reception of an incoming call, wherein an image is displayed and an auditory message is played to remind the user of the date. The modification is beneficial for user who to view important information associated with a date on the phone and to hear important information in the phone, wherein there is doubt as to the capabilities of the user to either hear information or see information.

Regarding claim 6, the method of claim 5 mentioned above, wherein Bunshi in view of Hsu and in further view of Smith further discloses:

designating a date selected by the user as the registered occasion date (Bunshi: section 0013-0015; 0024, 0028-0031); and

registering an image and a ring sound selected by the user among idle mode screen images and ring sounds stored in the phone with respect to the registered occasion date (Bunshi: section 0013-0015; 0024, 0028-0031; Hsu: col. 6, lines 30-53).

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

7. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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November 9, 2007


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